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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Arlene RAMSINGH *et al.*

Serial No.: 09/879,572

Filing Date: June 12, 2001

For: COXSACKIEVIRUS B4 EXPRESSION  
VECTORS AND USES THEREOF

Examiner: Stacey Chen

Group Art Unit: 1648

Atty Dkt: 29025.0001

Customer No. 30827

PATENT TRADEMARK OFFICE

**SECOND SUPPLEMENTAL RESPONSE AND AMENDMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This paper responds to a Notice of Non-Compliant Amendment mailed October 19, 2005, indicating that the Response and Amendment filed on August 11, 2005, while supplying the missing notation regarding canceled claims 27-53 in the Listing of Claims, did not include a "claim 29."

In response, a replacement Listing of Claims is submitted, beginning at page 2 of this document and ending on page 7, followed by Remarks on page 8.

The remaining parts of the Amendment and the attached Rule 132 Declarations and supporting documents that was submitted on May 26, 2005, are incorporated by reference and ARE NOT BEING RE-SUBMITTED HERE.

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**REMARKS**

The only change being made herein is the insertion in the Listing of Claims of one line that indicates that claims 29 was cancelled (in an earlier Amendment). This line was accidentally omitted in the Responses of May 26 and August 11, 2005. As stated above, the remaining parts of the Amendment and the attached Rule 132 Declarations and supporting documents that were submitted on May 26, 2005, are incorporated by reference here and **ARE NOT BEING RE-SUBMITTED**. Applicants believe that the Office has all the necessary papers in its file and do not believe there is a need to burden the office with additional papers that are merely copies of what should already be in the file.

Applicants would have appreciated if the Examiner had pointed out the absence of claim 29 from the Listing in the Notice mailed on July 29, 2005, where it was stated ONLY that claims 27-53 (cancelled) were missing from the Listing of Claims. Applicants understand that this is not the Examiner's responsibility, but nonetheless could have and would have easily attended to both these omissions when filing the paper on August 11, 2005. Applicants believe that this substitute Listing of Claims renders their earlier filed Response and Amendment compliant and respectfully request that this Listing of Claims be entered as a replacement of the original Listing of Claims filed on May 26, 2005. Examiner Chen is respectfully requested to contact the undersigned at (202) 496-7845 with any questions or comments regarding this correction and the Amendment in general if this will assist in her examination of the case.

In the unlikely event that the Patent and Trademark Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due to Deposit Account 50-0911. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,



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Shmuel Livnat  
Registration No. 33,949

Dated: October 25, 2005

Direct Line: (202) 496-7845

MCKENNA LONG & ALDRIDGE LLP  
1900 K Street, N.W.  
Washington, DC 20006  
Telephone: (202) 496-7500  
Telefax: (202) 496 7756  
Attorneys for Applicant